



## INTERIOR BOARD OF INDIAN APPEALS

James Robert Burchard v. Acting Billings Area Director, Bureau of Indian Affairs

19 IBIA 276 (03/28/1991)

Denying reconsideration of:  
19 IBIA 254



## United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS  
INTERIOR BOARD OF INDIAN APPEALS  
4015 WILSON BOULEVARD  
ARLINGTON, VA 22203

JAMES ROBERT BURCHARD,  
Appellant

v.

BILLINGS AREA DIRECTOR,  
BUREAU OF INDIAN AFFAIRS,  
Appellee

: Order Denying Petition for  
: Reconsideration  
:  
:  
: Docket No. IBIA 91-3-A  
:  
:  
: March 28, 1991

The Board's decision in this appeal was issued on March 8, 1991. 19 IBIA 254. On March 26, 1991, the Board received a petition for reconsideration from appellant.

43 CFR 4.315 provides that "[r]econsideration of a decision by the Board will be granted only in extraordinary circumstances." The Board does not grant reconsideration when the issues raised in the petition were considered when the Board issued its initial decision. E.g., Estate of Joseph Poolaw, 18 IBIA 410 (1990); Oglala Sioux Tribe v. Aberdeen Area Director, 16 IBIA 224 (1988). Appellant clearly disagrees with the Board's decision. However, the arguments he makes in his petition were all addressed in the Board's original decision.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, appellant's petition for reconsideration is denied. This decision is final for the Department of the Interior.

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//original signed

Anita Vogt  
Administrative Judge

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//original signed

Kathryn A. Lynn  
Chief Administrative Judge